

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<p>FREDRICKA NELLON AND JARED CHARLAP, Plaintiffs, v. NUTTZO, LLC, Defendant.</p>	<p>Civil Action No. 2:21-CV-1745 LEAD CASE</p>
<p>FRANK FACIO AND JARED CHARLAP, Plaintiffs, v. SWINGRAIL, LLC, Defendant.</p>	<p>Civil Action No. 2:21-CV-01753 MEMBER CASE</p>

NOTICE OF DISMISSAL PURSUANT TO RULE 41(a)(1)

1. Whereas Plaintiffs Frank Facio and Jared Charlap filed the above-referenced case against Defendant Swingrail, LLC, on April 1, 20221.
2. Whereas Defendant has not yet answered Plaintiff's complaint, and thus dismissal is appropriate without court order, pursuant to Federal Rule of Civil Procedure, Rule 41(a)(1)(A)(i).
3. Accordingly, pursuant to Federal Rule of Civil Procedure, Rule 41(a)(1)(A)(i), Plaintiff hereby dismisses the complaint with prejudice.

Dated: April 1, 2022

Respectfully Submitted,

[SIGNATURE BELOW]

/s/ Benjamin Sweet

Benjamin J. Sweet

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CERTIFICATE OF SERVICE

I, Benjamin J. Sweet, hereby certify that the foregoing document was filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to non-registered participants this 1st day of April, 2022.

/s/ Benjamin J. Sweet
Benjamin J. Sweet